

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 23-cv-61523-JB/Reid

SMART CITY CAPITAL, LLC,

Plaintiff,

v.

DIGITAL INFRASTRUCTURE
GROUP, INC., *et al.*,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

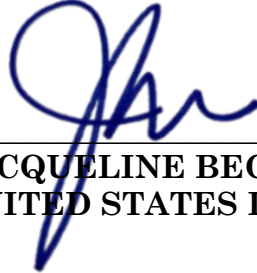
THIS CAUSE is before the Court on Magistrate Judge Lisette M. Reid's Report and Recommendation, ECF No. [126], ("Report") on Defendants' Motion to Dismiss Plaintiff's Amended Complaint, ECF No. [99]. In the Report, Magistrate Judge Reid recommends that the Court deny the Motion to Dismiss without prejudice to allow the limited jurisdictional discovery to proceed and permit Defendants to renew the Motion to Dismiss according to the established briefing schedule, if they so choose. ECF No. [126] at 3. No objections were filed to the Report, and the time to do so has passed.

Upon an independent review of the Report, the Motion, the record, and applicable law, it is **ORDERED AND ADJUDGED** as follows:

1. The Report, ECF No. [126], is **AFFIRMED AND ADOPTED**.
2. Defendants' Motion to Dismiss, ECF No. [99], is **DENIED WITHOUT PREJUDICE** to permit limited jurisdictional discovery to proceed.

3. Defendants may file a renewed motion to dismiss according to the established briefing schedule, if they so choose.

ONE AND ORDERED in Miami, Florida, this 26th day of June, 2024.

A handwritten signature in blue ink, appearing to read 'JB', is written over a horizontal line.

JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE